

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Texas

BOOK PEOPLE, INC., VBK, INC. d/b/a BLUE
WILLOW BOOKSHOP, AMERICAN BOOKSELLERS
ASSOCIATION, ASSOCIATION OF AMERICAN
PUBLISHERS, AUTHORS GUILD, INC., COMIC BO

Plaintiff(s)

v.

MARTHA WONG in her official capacity as chair of
the Texas State Library and Archives Commission,
KEVEN ELLIS in his official capacity as chair of the
Texas Board of Education, MIKE MORATH in his offi

Defendant(s)

Civil Action No. 1:23-cv-858-DII

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Keven Ellis in his official capacity as the chair of the Texas State Board of Education
1302 South Medford Drive
Lufkin, Texas 75901

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Laura Lee Prather
laura.prather@haynesboone.com
Haynes and Boone, LLP
600 Congress Ave., Suite 1300
Austin, TX 78701
(512) 867-8400

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 07/26/2023



CLERK OF COURT PHILIP J. DEVLIN

Philip J. Devlin

Signature of Clerk or Deputy Clerk

Civil Action No. 1:23-cv-858-DII

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Keven Ellis in his official capacity as the Chair of the Texas State Board of Education
 was received by me on *(date)* 7/26/2023 at 4:29 PM .

☒ I personally served the summons on the individual at *(place)* 1302 S. Medford Dr., Lufkin, Angelina County, TX 75901
 on *(date)* 7/28/2023 at 8:45 AM ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: 7/28/2023



 Server's signature

Sara Brucia Process Server PSC-15401 Exp. 8/31/2024
 Printed name and title

858 CR 753 Nacogdoches, TX 75964
 Server's address

Additional information regarding attempted service, etc: